## AMENDMENTS TO THE CLAIMS

1. (Currently amended) A method for lateral insertion of an interspinous process implant comprising the steps of:

accessing an upper and lower spinous processes laterally;

inserting the interspinous process implant between the upper and the lower spinous processes from a first lateral side of the spinous processes; and

causing the interspinous process implant inserted by the inserting step to deploy adjacent a second lateral side of at least one of the upper and the lower spinous processes;

wherein the causing step comprises causing a retaining portion of the implant that passed laterally through a sagittal plane defined by the upper and lower spinous processes to extend superiorly or inferiorly generally along a lateral side of at least one of the upper and lower spinous processes.

2. (Original) The method of claim 1, further comprising a step of distracting the spinous processes apart, where the distracting step and the inserting step are done in any order.

3. (Original) The method of claim 1, further comprising a step of distracting the spinous processes apart, where the distracting step and the inserting step are done simultaneously.

4. (Original) The method of claim 1, where the insertion step causes a wing to be positioned adjacent to the first lateral side of at least one of the spinous processes.

5. (Canceled).

6. (Original) The method of claim 1, where the insertion step causes a first wing to be positioned adjacent to the first lateral side of at least one of the spinous processes and the causing step causes a second wing to be deployed adjacent to at least one of the second lateral sides of the spinous processes.

7. (Currently amended) A method for lateral insertion of an interspinous process implant comprising the steps of:

accessing adjacent spinous processes laterally;

inserting the interspinous process implant between the spinous processes from a first lateral side of the spinous processes;

urging the interspinous process implant through a sagittal plane defined by the spinous processes so that a portion thereof is disposed on the second lateral side of the spinous processes and a member of the interspinous process implant passes through the sagittal plane; and

causing the interspinous process implant inserted by the inserting step to deploy so that [[a]] the member ~~of the interspinous process implant that was urged through the sagittal plane~~ projects outwardly and superiorly or inferiorly from a body of the interspinous process implant adjacent a second lateral side of at least one of the spinous processes.

8.-14. (Canceled)

15. (Previously presented) A method for the lateral insertion of an interspinous process implant, where the steps of inserting the interspinous process implant comprise:

accessing the spinous processes laterally;

inserting the interspinous process implant laterally between the spinous processes, said interspinous process implant comprising a body having a deployable interspinous process implant member;

passing the implant member laterally through a sagittal plane defined by the spinous processes;

deploying the implant member, where the implant member extends from a second lateral side of the spinous processes;

wherein the deploying comprises changing a relative orientation between the implant member and the body.

16. (Original) The method of claim 15, further comprising a step of distracting the spinous processes apart, where the distracting step and the inserting step are done in any order.

17. (Original) The method of claim 15, further comprising a step of distracting the spinous processes apart, where the distracting step and the inserting step are done simultaneously.

18. (Original) The method of claim 15, where the insertion step places an interspinous process implant member adjacent to the first lateral side of at least one of the spinous processes.

19. (Original) The method of claim 18, where the interspinous process implant member is selected from a wing, an arm, a leg, and a hook.

20. (Previously presented) The method of claim 15, where the deploying step places the implant member adjacent to the second lateral side of at least one of the spinous processes.

21. (Previously presented) The method of claim 20, where the implant member is selected from a wing, an arm, a leg, and a hook.

22. (Original) The method of claim 15, where the step of inserting further comprises using at least one tool for lateral insertion of the interspinous process implant.

23. (Previously presented) A method for the lateral insertion of an interspinous process implant, where the steps of inserting the interspinous process implant comprise:

accessing the spinous processes laterally; and

inserting the interspinous process implant laterally between said spinous processes, said interspinous process implant comprising:

a body adapted to be placed between spinous processes, where the body has a proximal end and a distal end; and

a distraction guide extending from the distal end of the body; the distraction guide expanding in a direction toward the proximal end of the body;

wherein the inserting comprises passing the distraction guide laterally through a sagittal plane defined by the spinous processes.

24. (Original) The method of claim 23, further comprising a step of distracting the spinous processes apart, where the distracting step and the inserting step are done in any order.

25. (Original) The method of claim 23, further comprising a step of distracting the spinous processes apart, where the distracting step and the inserting step are done simultaneously.

26. (Original) The method of claim 23, where the step of inserting further comprises using at least one tool for lateral insertion of the interspinous process implant.

27. (Original) The method of claim 23, where the interspinous process implant further comprises at least one wing.

28. (Previously presented) The method of claim 23:

wherein the body comprises a longitudinal axis extending from the proximal end to the distal end;

wherein the implant further comprises a sleeve associated with the body and disposed about the longitudinal axis; the sleeve adapted to be placed between spinous processes;

wherein said inserting further comprises laterally inserting the sleeve between the spinous process.

29-32. (Canceled)

33. (Previously presented) The method of claim 23 wherein the implant further comprises a wing located at the proximal end of the central body.

34.-36. (Canceled)

37. (Original) The method of claim 33, where the interspinous process implant further comprises a second wing located near the distal end of the central body.

38.-52. (Canceled)

53. (New) A method for the lateral insertion of an interspinous process implant, comprising:

inserting an interspinous process implant laterally between adjacent spinous processes from a first lateral side; the implant comprising a first portion and a deployable second portion that remains coupled thereto during the insertion; during the inserting, the second portion laterally passing through a sagittal plane defined by the spinous processes;

deploying the implant member by changing a relative orientation between the first portion and the second portion, the second portion having passed through the sagittal plane, so that the second portion extends away from the first portion on the second lateral side of the spinous processes.